

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 1 has been cancelled and is replaced by new claim 16 which positively and distinctly recites all of the elements therein. In addition, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's objections to the claims, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1-4 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,216,649 to Koike et al.

The Koike et al. patent discloses an optical head with a tilt correction servo mechanism, in which, as shown in Fig. 8, prism portions 55a and 55b re-direct portions of a radiation beam, traveling toward and forming a spot on an optical disk, these portions then being reflected from the optical disk remotely from said spot and the reflected portions being directly detected by detectors 53a and 53b.

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v.*

Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The Examiner has indicated that Koike et al. discloses each of the elements of the invention as claimed in claim 1.

With regard to claim 16, Applicants believe that the Examiner is mistaken. In particular, the subject invention includes "a detection system including an information signal detector for receiving said reflected main part from said optical system for detecting an information signal therein, and a position sensitive detector collocated with said information signal detector for receiving said reflected second part from said optical system, said position sensitive detector detecting a position of the reflected second part of the reflected radiation beam". While Koike et al. discloses an information detector 10 which receives a main part of the reflected radiation beam via the optical system (5/7/4), and photodetectors 53a and 53b forming a position detector for receiving a reflected second part, the position detector is not "collocated with the information signal detector". Further, the position detector system of Koike et al. does not receive the reflected second part from the optical system as specifically claimed in claim 16.

In particular, in the subject invention, while the redirecting structure of the optical system redirects the second part of the radiation beam along a path different from that of the main part of the radiation beam, the optical system nonetheless directs both the main and second parts to the optical disc, and

directs both the reflected main and second parts to the detection system.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 2-16, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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